

#### § 1112.7

rebuttal verified statements will be considered to have admitted the truth of material allegations of fact contained in their opponents' statements unless those allegations are specifically challenged. Rebuttal statements shall be confined to issues raised in the reply statements to which they are directed.

#### § 1112.7 Records in other Commission proceedings.

If any portion of the record before the Commission in any proceeding other than the proceeding at issue is offered in evidence, a true copy should be presented for the record.

#### § 1112.8 Verification.

The original of any pleading filed must show the signature, capacity, and seal, if any, of the person administering the oath, and the date thereof.

#### § 1112.9 Sample verification for statement of fact under modified procedure.

State of \_\_\_\_\_,  
County of \_\_\_\_\_,  
SS:

\_\_\_\_\_ being duly sworn, deposes and says that he has read the foregoing statement, knows the facts asserted there are true and that the same are true as stated.

Signed \_\_\_\_\_,  
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_.  
Notary Public of \_\_\_\_\_.  
My Commission expires \_\_\_\_\_.

#### § 1112.10 Requests for oral hearings and cross examination.

(a) *Requests.* Requests for oral hearings in matters originally assigned for handling under modified procedure should be included in the reply or rebuttal statement. The reasons why the matter cannot be properly resolved under modified procedure must be set out in full. Requests for cross examination of witnesses must include the name of the witness and the subject matter of the desired cross examination.

(b) *Disposition.* Unless material facts are in dispute, oral hearings will not be held. If held, oral hearings will normally be confined to material issues upon which the parties disagree. The

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decision setting a matter for oral hearing will define the scope of the hearing.

#### § 1112.11 Authority of officers.

Except to the extent that they apply only to the conduct of a public hearing, the officer assigned to handle a proceeding under the modified procedure shall have the same authority as officers assigned to conduct oral hearings as described in § 1113.3(a) and (b).

### PART 1113—ORAL HEARING

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- 1113.1 Scheduling hearings; continued hearings.
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- 1113.14 Objections to rulings.
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- 1113.16 Oral argument before the hearing officer.
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- 1113.19 Pleadings: part of the record.
- 1113.20–1113.30 [Reserved]
- 1113.31 Joint boards.

AUTHORITY: 49 U.S.C. 10321; 5 U.S.C. 559.

SOURCE: 47 FR 49559, Nov. 1, 1982, unless otherwise noted.

#### § 1113.1 Scheduling hearings; continued hearings.

(a) *Assignment; service and posting of notice.* In those proceedings in which an oral hearing is to be held, the Commission will assign a time and place for hearing. Notice of hearings will be posted in the Office of the Secretary of the Commission and will be served upon the parties and such other persons as may be entitled to receive notice under the Act.

(b) *Requests for changes in assignment.* Requests for postponements of date of hearing will be granted only in exceptional circumstances.